

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

LUO FEI ZHENG,	:	CIVIL ACTION NO. 1:08-CV-0223
	:	
Petitioner	:	(Judge Conner)
	:	
v.	:	
	:	
MICHAEL CHERTOFF, et al.,	:	
	:	
Respondents	:	

ORDER

AND NOW, this 30th day of May, 2008, upon consideration of the amended petition for writ of habeas corpus (Doc. 8), in which petitioner seeks release from indefinite detention in accordance with Zadvydas v. Davis, 533 U.S. 678 (2001), while awaiting removal to The People's Republic of China pursuant to a final order of removal, and this Court having confirmed through the Bureau of Immigration and Customs Enforcement ("ICE") coordinator at the York County Prison that petitioner was removed from the United States to his native country of The People's Republic of China on April 17, 2008, thereby rendering the petition (Doc. 8) and the motion for temporary restraining order (Doc. 9) moot, see Khodara Env'tl., Inc. ex rel. Eagle Env'tl., L.P. v. Beckman, 237 F.3d 186, 192-93 (3d Cir. 2001) ("Article III of the Constitution grants the federal courts the power to adjudicate only actual, ongoing cases or controversies."); Blanciak v. Allegheny Ludlum Corp., 77 F.3d 690, 698-99 (3d Cir. 1996) ("If developments occur during the course of adjudication that eliminate a plaintiff's personal stake in the outcome of a suit or prevent a court from

being able to grant the requested relief, the case must be dismissed as moot.”), it is hereby ORDERED that:

1. The petition for writ of habeas corpus (Doc. 1) is DISMISSED as moot.
2. The motion for temporary restraining order (Doc. 9) is DENIED as moot.
3. The Clerk of Court is directed to CLOSE this case.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge